

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

TITLE 83: PUBLIC UTILITIES

CHAPTER I: ILLINOIS COMMERCE COMMISSION

SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN ONE KIND OF UTILITY

PART 287 RATE CASE TEST YEAR

SECTION 287.30 UPDATES TO FUTURE TEST YEAR DATA

Section 287.30 Updates to Future Test Year Data

- a) During the suspension period, the assigned Administrative Law Judge may require or allow the utility to update its schedules and workpapers, if a utility has proposed a future test year, according to the schedule established in the proceeding when evidence has been introduced that a significant and material change affecting the revenue requirement as defined in subsection (c) of this Section has occurred. In establishing this schedule, the Administrative Law Judge shall consider the timing and scope of the updated filing. A utility shall not be allowed or required to submit more than one updated filing, or to submit an updated filing during the final 150 days of the resuspension period. When data are updated, the utility shall also provide updated information for any affected schedules and work papers originally submitted as a requirement of 83 Ill. Adm. Code 285.
- b) A determination to require or allow the submission of an update shall include, but not be limited to, the consideration of:
 - 1) Whether the changes significantly and materially affect the revenue requirement;
 - 2) Whether the changes could have been reflected in the initial tariff filing; and
 - 3) Whether the Illinois Commerce Commission staff and other participants will have an adequate opportunity to review the updated information.
- c) Examples of "significant and material" changes would include changes since the original filing of tariffs to factors including, but not limited to:
 - 1) Contractual obligations;
 - 2) Revenue requirements;
 - 3) Additions or losses of customers served; and

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- 4) Governmental requirements or levies, such as tax rates or environmental requirements.
- d) Whenever the utility updates projected data in its selected test year, it shall provide a reconciliation of original and updated data and identify and support the changes in its testimony and exhibits.
- e) Nothing in this Section shall be construed as a limitation on updates to the rate of return on rate base during the rebuttal phase of the rate proceeding.